

Form PTO-1390 U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE (Rev. 1-98)		Attorney's Docket Number <b>32976-256844</b>
TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		U.S. Application No. (if known, see 37 CFR 1.5)
		09/787714
International Application No. <b>PCT/FR99/02243</b>	International Filing Date <b>September 21, 1999</b>	Priority Date Claimed <b>September 21, 1998</b>
Title of Invention  <b>Endofucanases and Method Using Same for Preparing Fuco-Oligosaccharides from Fucanes, Bacterium Producing Endofucanases and Uses of Fuco-Oligosaccharides for Plant Protection</b>		
Applicant(s) for DO/EO/US <b>Valerie Descamps, Olivier Klarszinsky, Tristan Barbeyron, Bernard Cloarec, Bernard Fritig, Jean-Marie Joubert, Bertrand Plesse, Jean-Claude Yvin</b>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
<ol style="list-style-type: none"> <li>1. <input type="checkbox"/> This is a FIRST submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input type="checkbox"/> This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>8. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).</li> <li>10. <input type="checkbox"/> A translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).</li> </ol>		
Items 11. to 16. below concern document(s) or information included:		
<ol style="list-style-type: none"> <li>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>13. <input type="checkbox"/> A FIRST preliminary amendment.</li> <li><input type="checkbox"/> A SECOND or SUBSEQUENT preliminary amendment.</li> <li>14. <input type="checkbox"/> A substitute specification.</li> <li>15. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>16. <input checked="" type="checkbox"/> Other items or information: Response to Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures; Sequence Listing pursuant to 37 CFR 1.821-1.825; (2) 3.50 Diskettes; Change of Correspondence Address; Associate Power of Attorney</li> </ol>		
Date: July 11, 2001		Page 1 of 2

U.S. Application No. (if known, see 37 CFR 1.5) <b>09/787714</b>	International Application No. <b>PCT/FR99/02243</b>	Attorney's Docket Number <b>32976-256844</b>
---------------------------------------------------------------------	--------------------------------------------------------	-------------------------------------------------

17. ☐ The following fees are submitted: CALCULATIONS PTO USE ONLY

**BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)):**

Neither international preliminary examination fee (37 CFR 1.482)  
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO  
and International Search Report not prepared by the EPO or JPO ....\$970.00

International preliminary examination fee (37 CFR 1.482) not  
paid to USPTO but International Search Report prepared by the  
EPO or JPO.....\$840.00

International preliminary examination fee (37 CFR 1.482) not  
paid to USPTO but international search fee (37 CFR 1.445(a)(2))  
paid to USPTO .....\$760.00

International preliminary examination fee (37 CFR 1.482) paid  
to USPTO but all claims did not satisfy provisions of  
PCT Article 33(1)-(4).....\$670.00

International preliminary examination fee (37 CFR 1.482) paid  
to USPTO and all claims satisfied provisions of  
PCT Article 33(1)-(4).....\$96.00

ENTER APPROPRIATE BASIC FEE AMOUNT =				\$	
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$	
Claims	Number Filed	Number Extra	Rate		
Total claims	1 - 20 =	0	x 18.00	\$	
Independent Claims	1 - 3 =	0	x 78.00	\$	
Multiple Dependent Claims (if applicable)			+ 260.00	\$	
TOTAL OF ABOVE CALCULATIONS =				\$	
Reduction of 1/2 for filing by small entity, if applicable. Applicant claims small entity status.				\$	
SUBTOTAL =				\$	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$0	
				Amount to be refunded:	\$
				charged:	\$

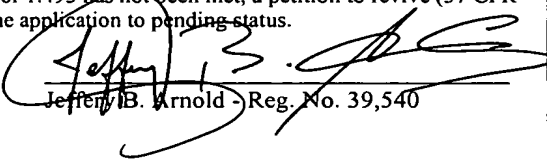
a. ☐ A check in the amount of \$\_\_\_\_\_ to cover the above fees is enclosed.

b. ☐ Please charge my Deposit Account No. 11-0855 in the amount of \$\_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 11-0855. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

**SEND ALL CORRESPONDENCE TO:**  
 Jeffery B. Arnold, Esq.  
 Kilpatrick Stockton LLP  
 Suite 2800  
 1100 Peachtree Street  
 Atlanta, Georgia 30309  
 Telephone: 404-745-2461

  
 Jeffery B. Arnold - Reg. No. 39,540

FORM PTO-1390 (Rev. 1-98) adapted Page 2 of 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Descamps et al.** )  
 )  
Application No. **09/787,714** )  
 )  
Filed: **March 21, 2001** )  
 )  
For: **Endofucanases and Method Using Same for** )  
 **Preparing Fuco-Oligosaccharides from Fucanes,** )  
 **Bacterium Producing Endofucanases and** )  
 **Uses of Fuco-Oligosaccharides for Plant** )  
 **Protection** )

**RESPONSE TO NOTICE TO COMPLY WITH REQUIREMENTS FOR  
PATENT APPLICATIONS CONTAINING NUCLEOTIDE  
SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

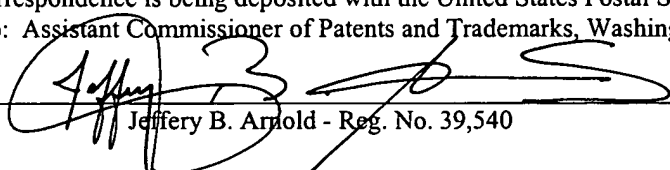
Assistant Commissioner for Patents  
Washington, DC 20231

Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office and the Notice to Comply with Requirements for Patent Applications Containing Nucleotide Sequence and/or Amino Acid Sequence Disclosures both of which were mailed on May 14, 2001, Applicants submit herewith a substitute paper copy and an initial Computer Readable Form (CRF) of the Sequence Listing which comprises the nucleotide and amino acid sequences contained in the application as originally filed. The Sequence Listing contained in the paper copy as well as the CRF contains no new subject matter and pursuant to 37 C.F.R. § 1.821(e), the paper copy and the computer readable form are the same.

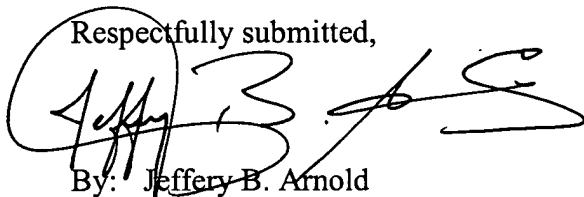
---

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Assistant Commissioner of Patents and Trademarks, Washington, DC, 20231, on this 11 day of July, 2001.

  
Jeffery B. Arnold - Reg. No. 39,540

Applicants submit a substitute paper copy of the Sequence Listing. The substitute paper copy was generated using "Patentin" version 3.0 and is now presented in the format required under 37 CFR 1.821-1.825. The substitute Sequence Listing has been modified to reflect the current U.S. Application Number, Filing Date and Inventorship. All other information relating the sequences is identical to that as originally presented in the PCT application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Jeffery B. Arnold", is written over a circular stamp. The signature is fluid and cursive.

By: Jeffery B. Arnold

Reg. No. 39,540

KILPATRICK STOCKTON LLP

2400 Monarch Tower

3424 Peachtree Road, N.E.

Atlanta, Georgia 30326

(404) 815-6500

Our Docket: 32976-256844



UNITED STATES PATENT AND TRADEMARK OFFICE

Atty: 671.1.1.1  
Docket/Matter No: 1-0017  
Action: My Rev.  
Due: 7-14-01  
CAU: 6-14-71Commissioner for Patents, Box PCT  
United States Patent and Trademark Office  
Washington, D.C. 20231  
www.uspto.gov

U.S. APPLICATION NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/787714	DESCAMPS	V PLA0017
INTERNATIONAL APPLICATION NO.		
PCT/FR99/02243		
I.A. FILING DATE	PRIORITY DATE	
21 SEP 99	21 SEP 98	

GEORGE T MARCOU  
KILPATRICK STOCKTON  
607 14TH STREET NW SUITE 900  
WASHINGTON, DC 20005 2018

DATE MAILED: 14 MAY 2001

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as ☐ a Designated Office (37 CFR 1.494) ☒ an Elected Office (37 CFR 1.495):
- |                                                                                                                          |                                                                                                |
|--------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| <input checked="" type="checkbox"/> U.S. Basic National Fee.                                                             | <input type="checkbox"/> Indication of Small Entity Status.                                    |
| <input checked="" type="checkbox"/> Copy of the international application.                                               | <input checked="" type="checkbox"/> Translation of the international application into English. |
| <input checked="" type="checkbox"/> Oath or Declaration of inventors(s).                                                 | <input type="checkbox"/> Translation of Article 19 amendments into English.                    |
| <input type="checkbox"/> Copy of Article 19 amendments.                                                                  | <input type="checkbox"/> Other:                                                                |
| <input checked="" type="checkbox"/> Priority Document.                                                                   |                                                                                                |
| <input checked="" type="checkbox"/> The International Preliminary Examination Report in English and its Annexes, if any. |                                                                                                |
| <input type="checkbox"/> Translation of Annexes to the International Preliminary Examination Report into English.        |                                                                                                |
2. ☐ Applicant has requested early processing under 35 U.S.C. 371(f) but has not filed the following indicated items and/or the indicated items in paragraph 3 below. The Basic National Fee and the copy of the international application must be filed prior to 20 or 30 months from the priority date to avoid abandonment.
- |                                                   |                                                                 |
|---------------------------------------------------|-----------------------------------------------------------------|
| <input type="checkbox"/> U.S. Basic National Fee. | <input type="checkbox"/> Copy of the international application. |
|---------------------------------------------------|-----------------------------------------------------------------|
3. The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:
- |                                                                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <input type="checkbox"/> a. Translation of the application into English. A processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.                                                                                                                                                          | <input type="checkbox"/> The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.                       |
| <input type="checkbox"/> b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).                                                                                                                                                 |                                                                                                                                                                |
| <input type="checkbox"/> c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), properly identifying the application (preferably by the International application number and international filing date). A surcharge will be required if submitted later than the appropriate 20 or 30 months from the priority date. | <input type="checkbox"/> The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917. |
| <input type="checkbox"/> d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).                                                                                                                                                                                    |                                                                                                                                                                |
4. Additional claim fees of \$ \_\_\_\_\_ as a ☐ large entity ☐ small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.
5. ☒ Applicant has not submitted the required sequence listing pursuant to 37 CFR 1.821-1.825. See attached PCT/DO/EO/920.

**ALL OF THE ITEMS SET FORTH IN 3(a)-3(d), 4 AND 5 ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 22 OR 32 MONTHS (where 37 CFR 1.495 applies) FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

6. If box 3a or 3c is checked, a translation of the Annexes **MUST** be submitted no later than the time period set above or the Annexes will be cancelled. A processing fee will be required if submitted later than 20 or 30 months from the priority date.
7. ☐ The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed: ☐ PCT/DO/EO/917 ☐ Notice of Defective Translation  
☐ PTO-875 ☒ PCT/DO/EO/920

Barbara A. Campbell

MAY 15 2001

FORM PCT/DO/EO/905 (March 2001)

Telephone: 703-305-3631